



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Notice of Public Hearing

Conditional Use

Modification of Existing Wireless Communication Facility

CU-05-19

January 10, 2020

HEARING INFORMATION

Review Body:	Hearings Board (Type III)
Hearing Date:	Thursday, February 6, 2020
Hearing Time:	4:00 p.m.
Hearing Location:	Albany City Hall, Council Chambers, 333 Broadalbin Street SW

APPLICATION INFORMATION

Proposal:	Condition Use to increase an existing 75-foot-tall wireless communication tower to 93 feet for collocation of new wireless communication equipment. The proposed antennas will be flush mounted to the pole and painted to match.
Property Owner:	Timothy & Joyce Bartel 1410 Powell Street SE, Albany, OR 97322-6738
Applicant:	New Cingular Wireless PCS, LLC 19801 SW 72nd Avenue, Suite 200, Tualatin, OR 97062
Tower Owner:	American Tower Company 10 Presidential Way, Woburn, MA 01801
Representative:	Debra Griffin Smartlink; 11232 120th Avenue NE, No. 204, Kirkland, WA 98034
Address/Location:	1740 Geary Street SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-08CC; Tax Lot 101
Zoning:	CC – Community Commercial
Overlay Districts:	Airport Approach – Conical Area
Total Land Area:	1.83 Acres
Existing Land Use:	Retail Sales and Service – Wheeler Dealer Liquidation



Previous Land Use Approvals: CU-01-99 – Approval of a wireless communication facility consisting of antennas and radio equipment modules mounted on a 75-foot-tall monopole.

The Planning Division has received the application referenced above and has scheduled a public hearing before the hearings board. We are mailing notice of this public hearing to property owners within 300 feet of the subject site.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost at the Albany Community Development Department, Planning Division. The Staff Report will be available at the Planning Division located in City Hall by 5:00 p.m. on Thursday, January 30, 2020 and on the City's web site at:

<http://www.cityofalbany.net/departments/community-development/planning/all-projects>.

Copies will be provided upon request at a reasonable cost. For more information, please contact **Laura LaRoque**, project planner, at laura.laroque@cityofalbany.net, 541-917-7640, or David Martineau, planning manager, at 541-917-7561. Submit any written comments to the Planning Division; PO Box 490; Albany, OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

YOUR COMMENTS

We invite your comments, either in writing prior to the day of the public hearing or in person at the hearing. Your comments will be considered when the hearings board makes a decision on this application. All testimony and evidence must be directed toward the approval standards for this application listed in this notice. Failure to raise an issue by letter or in person before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the hearings board an adequate opportunity to respond to each issue raised, precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

The public hearing will begin with a declaration of any *ex parte* contacts (contacts that occurred outside of the public hearing) or any conflict of interest by the decision-makers. This will be followed by the Staff Report from the planning staff. Then the applicant will testify, followed by testimony from other people in support of the application. After those in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision-makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of Oregon Revised Statute (ORS) 227.178.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for the resumption of the hearing and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision-makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling 541-917-7500.

APPEALS

Within five days of the hearings board's final decision on this application, the Community Development Director will provide written Notice of Decision to the applicant and any other parties entitled to notice.

A decision of the hearings board may be appealed to the City Council if a person with standing files a Notice of Appeal and associated filing fee with the City within 10 days of the date the City mails the Notice of Decision.

APPROVAL STANDARDS FOR THIS APPLICATION

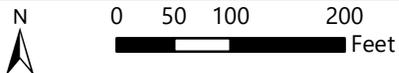
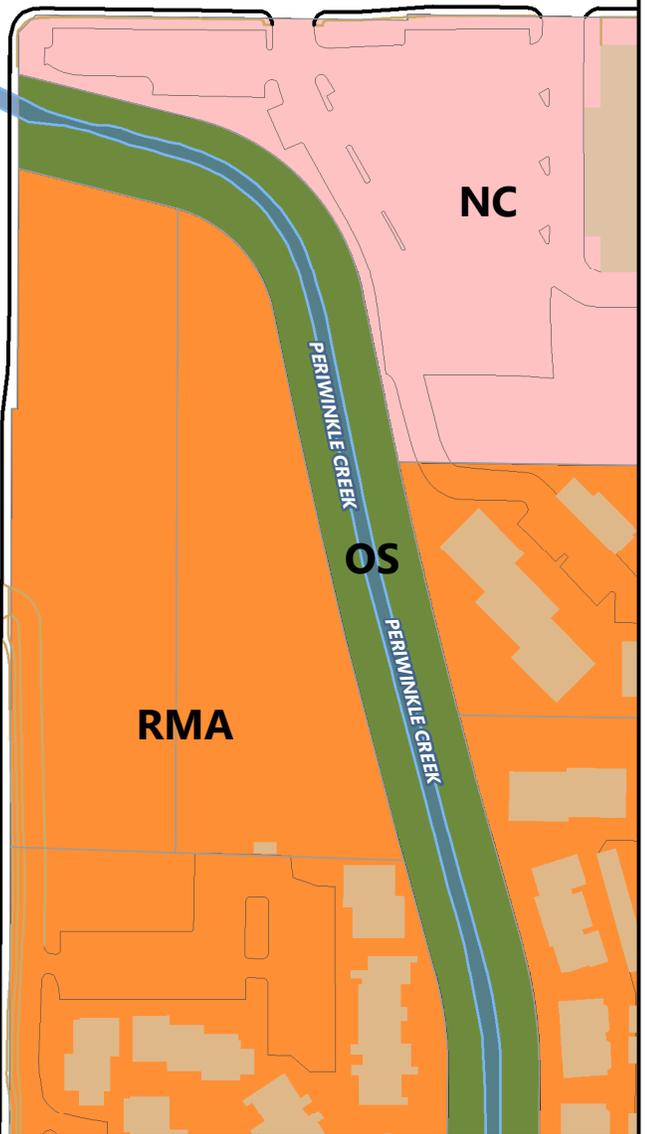
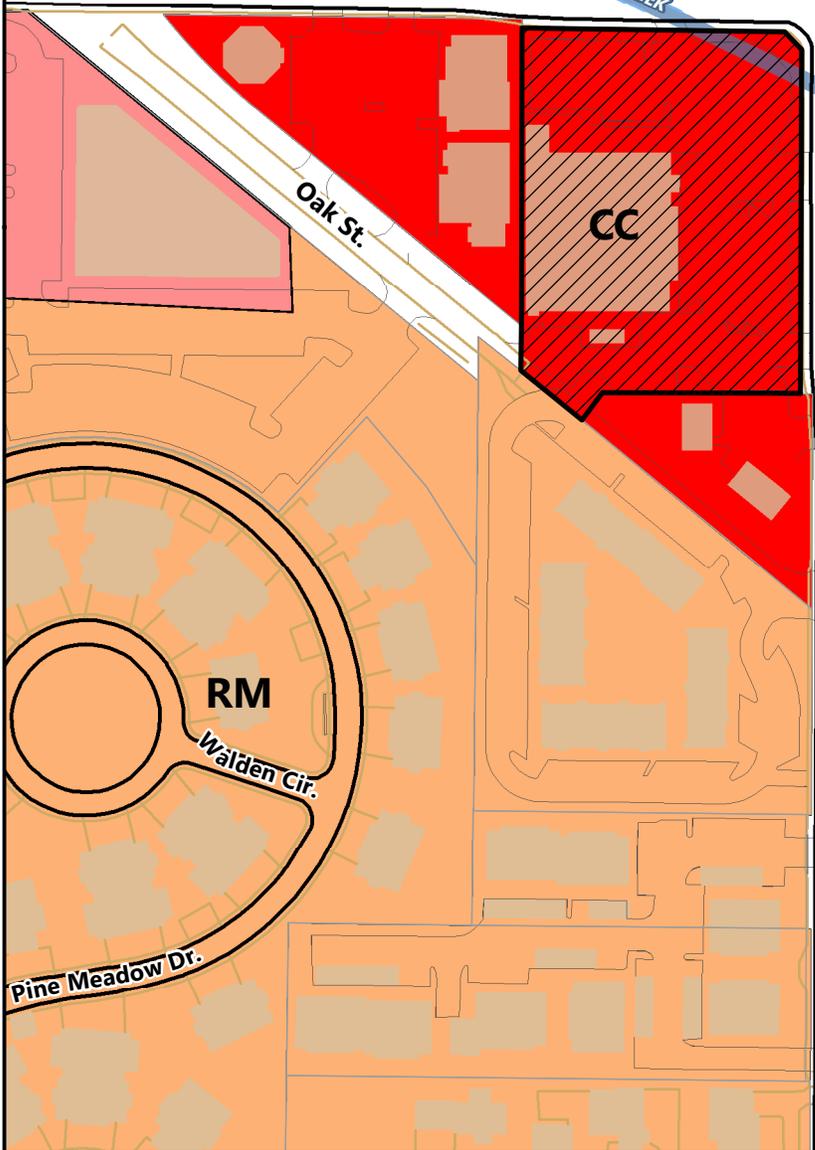
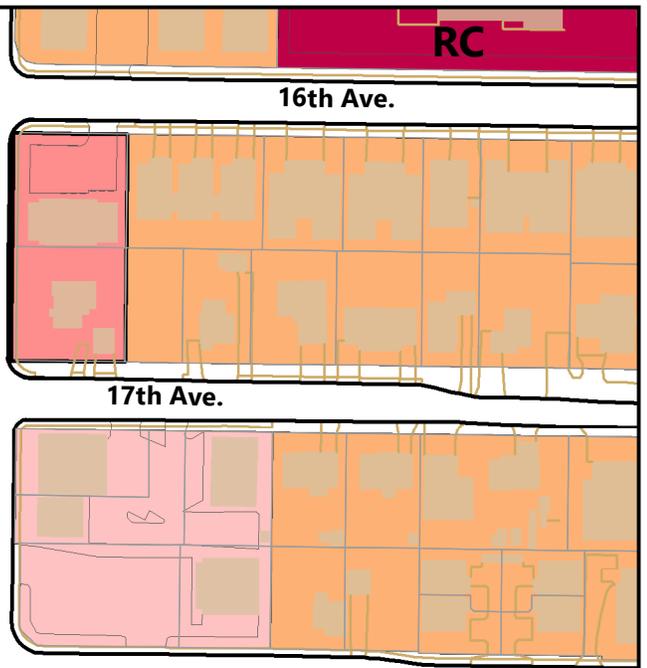
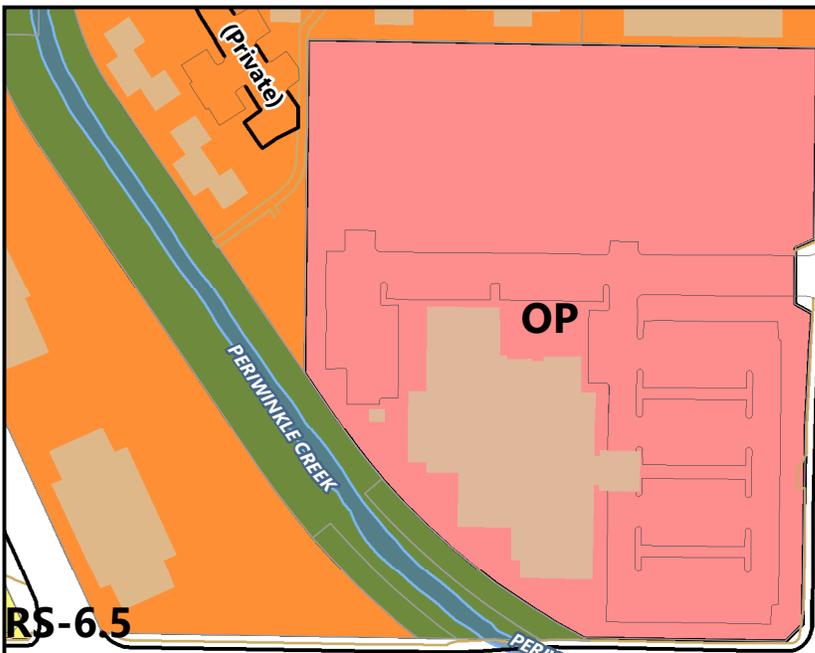
Conditional Use (Albany Development Code 2.250)

- 1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
- 2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping, or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.
- 3) The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.
- 4) Public services for water, sanitary and storm sewer, water management, and for fire and police protection are capable of servicing the proposed use.
- 5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to (a) noise, glare, odor, litter, or hours of operation or (b) privacy and safety issues.
- 6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Additional review standards for this application are found in Albany Development Code Articles 1, 2, 3, 9, & 12.

Attachments: Location Map, Applicant's Elevation Plan (Sheet A3.0)

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Date: 12/9/2019 Map Source: City of Albany

1710 Geary Street SE

Location / Zoning Map



DRAWN BY: MS
 CHECKED BY: BU

VER.	DATE	DESCRIPTION
1	12/05/19	PRELIM LU DRAWINGS
2	12/11/19	CLIENT COMMENT
3	12/12/19	FINAL LU DRAWINGS

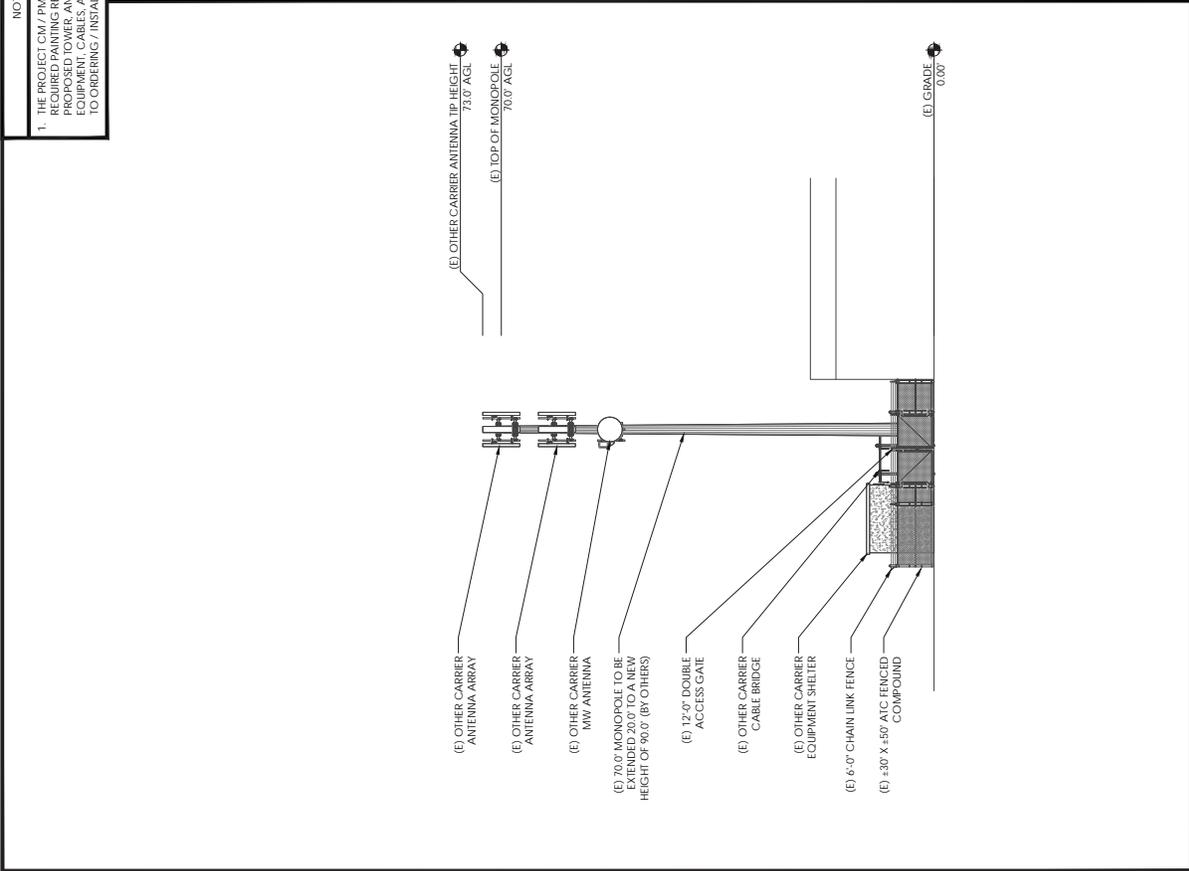
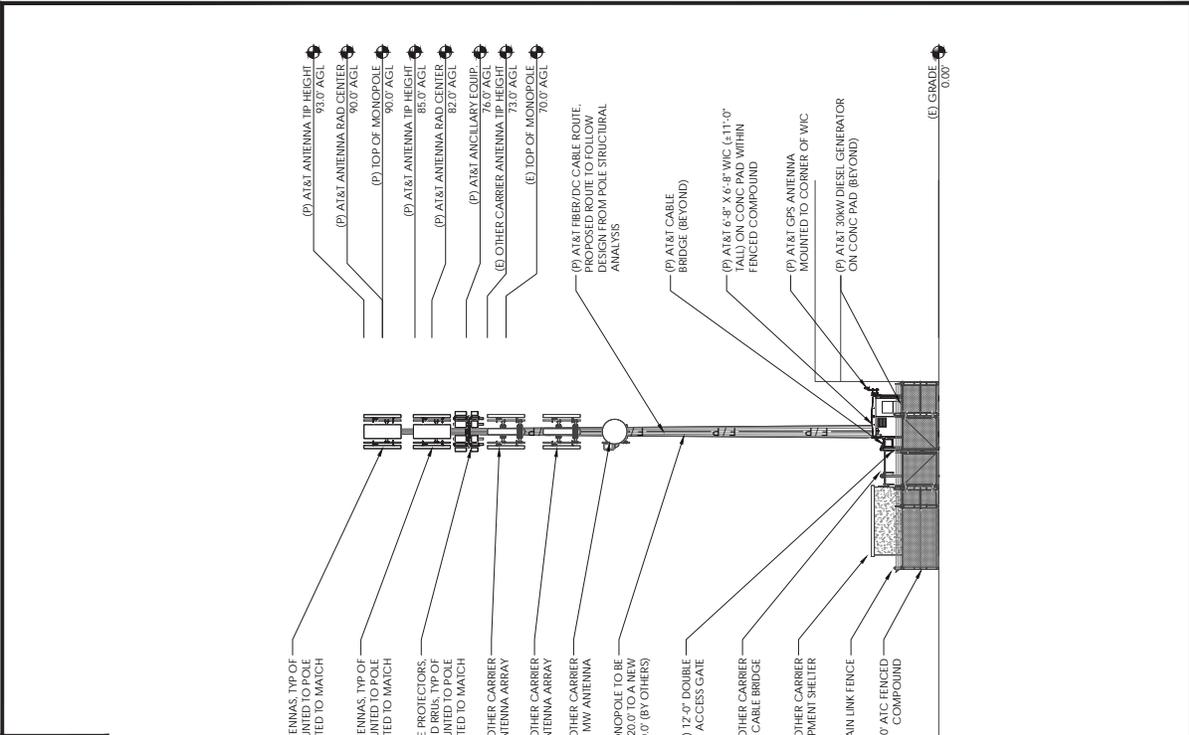
LICENSER

PROJECT INFORMATION
CO16
CALAPOOIA
 1710 GEARY STREET
 ALBANY, OR 97322

SHEET TITLE
ELEVATIONS

SHEET NO.
A3.0

NOTES
 1. THE PROJECT CM / PM TO VERIFY ANY REQUIRED PAINTING REQUIREMENTS FOR PROPOSED TOWER, ANTENNAS, ANCILLARY EQUIPMENT, CABLES AND EQUIPMENT PRIOR TO ORDERING / INSTALLING EQUIPMENT.



11 X 17 SCALE: 1" = 20'-0"
 22 X 34 SCALE: 1" = 10'-0"
 2 (P) EAST ELEVATION

11 X 17 SCALE: 1" = 20'-0"
 22 X 34 SCALE: 1" = 10'-0"
 1 (E) EAST ELEVATION